

Appl. No. 09/749,243

Response dated October 5, 2004

Reply to Non-Compliant Amendment dated Sep. 10, 2004

REMARKS

This is a response to the Non-Compliant Amendment dated September 10, 2004. A shortened statutory period was set to expire one month from the date of the Amendment, making a response due by October 10, 2004.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this response timely.

Please charge any fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,



Gregory C. Smith, Reg. No. 29,441

Seth M. Nehrbass, Reg. No. 31,281

Charles C. Garvey, Jr., Reg. No. 27,889

Stephen R. Doody, Reg. No. 29,062

Brett A. North, Reg. No. 42,040

GARVEY, SMITH, NEHRBASS & DOODY, L.L.C.

PTO CUSTOMER NO. 22920

3838 N. Causeway Blvd., Suite 3290

Metairie, LA 70002

Telephone: (504) 835-2000; 835-2070 (fax)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on this 4th day of October, 2004.



Gregory C. Smith, Reg. No. 29,441